A4

13. (Once Amended) A crane hoist apparatus according to claim 8 wherein said winch carriage includes a third plurality of rollers for said winch carriage to be slidably supported by said second frame.

Remarks

The present amendment is in response to the office action dated December 18, 2002 in the above-identified patent application.

In the office action paragraphs 1 and 2, claims 1-17 were pending and were made subject of a restriction requirement under 35 U.S.C. 121, wherein the Examiner identified species I as claims 1-14 as drawn to a crane, classified in class 212, subclass 315 and species II as claims 15-17 as drawn to a method of using a crane, classified in class 212, subclass 270.

In response, applicant accepts the restriction requirement with respect to office action paragraphs 1 and 2 as representing the species I apparatus claims 1-14 and species II method claims 15-17 being patentably distinct groupings. Applicant elects to pursue species I represented by claims 1-14, thus, applicant hereby withdraws claims 15-17 from consideration related to species II subject to filing a divisional application.

In the office action paragraph 3, the Examiner stated that the number on the drawings includes a first plurality of rollers 46, which are not discussed in the detailed description of the invention. In response, the Examiner is directed to paragraph 61, lines 1 and 2 in the detailed description and to Figure 1, where the first plurality of rollers 46 are respectively described and shown. Thus, the Examiner is kindly requested to remove the office action paragraph 3 objection.

In the office action, claims 1-17 were pending, claims 1-14 remain in this application, and claims 15-17 have been cancelled. Claims 1, 2, 3, 4, 6, 8, 9, 10, 11, and 13 have been amended.

In the office action in paragraphs 4 and 5 claims 1-15 were rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, in the office action paragraph 5 (a) in the last line of claims 1 and 8 the Examiner stated that the term, "said second frame vertical extension" lacks antecedent basis within the claims. The Examiner also stated that claims 1 and 8 provide a basis for a vertical extension for the second frame's beam or angle iron, but not for the frame itself.

In response, claim 1 element (c) line 2 has been amended to add the word "beam" as a prefix to the word "depth" for proper antecedent basis as the word "depth" is referring to a particular feature of the beam portion of the second frame. In a like manner, claim 8 element (c) line 2 has been amended to add the word "angle beam" as a prefix to the word "vertical extension" for proper antecedent basis as the word "vertical extension" is referring to a particular feature of the angle beam portion of the second frame. Also, a syntax correction has been amended to claim 8 element (a) line 1 by adding the word "of" as a prefix to the word "an".

Moving toward office action paragraph 5 (b) the Examiner stated that in claims 4 and 11 it is unclear how to include a second plurality of rollers when the claimed combination does not include a first plurality of rollers. Also, the Examiner stated that it is unclear how claims 6 and 14 (I think the Examiner meant claim 13 instead of 14) can include a third plurality of rollers, when the claimed combination does not include first

and second pluralities of rollers. The Examiner then asked, if the applicant was indirectly claiming the other rollers in these claims?

In response, the applicant's intent is to separately claim the second plurality of rollers as providing a slidable support of the second frame by the first frame in claims 4 and 11 apart from the first plurality of rollers that provide a slidable support for the first frame in the interior of the ISO container. To clarify, claims 3, 4, 10, and 11 have been amended to more clearly describe that both the first and second pluralities of rollers are specific structure for accomplishing the slidable support between the first frame and the ISO container for the first plurality of rollers defined in claims 3 and 10 and the slidable support between the second frame and the first frame for the second plurality of rollers defined in claims 4 and 11. The aforementioned amendments to claims 3, 4, 10, and 11 all have antecedent support in the claims that they depend from. In other words, the crane could utilize a slidable support between the first frame and ISO container and between the second frame and first frame or in the alternative the crane could utilize the specific structure of a plurality of rollers for either the slidable support between the first frame and ISO container or the slidable support between the second frame and the first frame.

Also, in response and continuing in a like manner the applicant's intent is to also separately claim the third plurality of rollers as providing a slidable support of the winch carriage by the second frame in claims 6 and 13 apart from the first plurality of rollers that provide a slidable support for the first frame in the interior of the ISO container and the second plurality of rollers that provide a slidable support between the second frame and the first frame. To clarify, claims 6 and 13 have been amended to more clearly describe that the third plurality of rollers are specific structure for accomplishing the slidable support between the winch carriage and the second frame. The

aforementioned amendments to claims 6 and 13 both have antecedent support in the claims that they depend from. In other words, the crane could utilize a slidable support between the first frame and ISO container, a slidable support between the second frame and first frame, and a slidable support between the winch carriage and the second frame. Or in the alternative, the crane could utilize the specific structure of a plurality of rollers for either the slidable support between the first frame and ISO container, or the slidable support between the second frame and the first frame, or the slidable support between the winch carriage and the second frame.

Further, in the office action paragraph 5 (c) the Examiner stated that it is unclear how the angle irons of the first frame and second frame as having a horizontal extension, a vertical extension, and a lengthwise span as recited in claim 8, as the Examiner states that an angle iron has two webs not three. In response, the applicant agrees with the Examiner that an angle iron has two webs, or as a term of art being two legs or two extensions, when the angle iron is viewed transverse to the lengthwise axis of the angle iron. The "lengthwise span" is simply the length of the beam or angle iron to define the beam or angle iron in three dimensions, being the horizontal, vertical, and length.

Turning now to the substantive rejections over the prior art continuing to the office action paragraph 8 the Examiner rejected claims 1, 2, 8, and 9 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,811,579 to Black. The Examiner states that in Black Figures 8-10 show a crane with a first frame (98a, 98b), a second frame 104, 104) and a winch that does not extend below other portions of the second frame. In response, claims 1 and 8 have been amended. Also, the Examiner stated that the "adapted to attach" recitations are not positive inclusions of the ISO container structure. In response, claims 1, 2, 8, and 9 have been amended.

Further to office action paragraph 9 the Examiner rejected claims 15-17 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,338,147 to Kucharczyk et al. As claims 15-17 have been withdrawn from consideration due to the applicants election of claims 1-14 for prosecution due to the restriction requirement, there will be no response to the office action paragraph 9 rejection.

Next, to the office action paragraph 10 the Examiner rejected claims 1-7 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,425,071 to Dunbar or in the alternative, under 35 U.S.C. 103(a) as obvious over Dunbar. The Examiner stated that Dunbar shows a crane with a first frame (15), a second frame (43), and a winch (93), which does not extend below the second frame depth as wheels (21) are part of the frame. In response, claim 1 has been amended. The Examiner also stated that if the wheels are not considered as part of the frame depth, the winch dimensions approximate the frame depth, as to have the difference considered as a design consideration, within the level of routine skill in the art.

A 35 U.S.C. 102(b) rejection requires complete claim anticipation by a single reference, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. V. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Also, "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Plus, the elements must be arranged as required in the claim, however, identical terminology is not required. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Turning now to the substantive rejections over the prior art continuing to the office action paragraph 8, the Examiner rejected claims 1, 2, 8, and 9 under 35 U.S.C.

102(b) as being anticipated by U.S. Patent No. 3,811,579 to Black. The Examiner states that in Black Figures 8-10 show a crane with a first frame (98a, 98b), a second frame 104, 104) and a winch that does not extend below other portions of the second frame.

Black teaches in Figures 8-10 a second frame (104, 104) that uses two I-beams 104 that are parallel and that extend between the first frame rail sections 98, with drive wheels 105' on opposite ends of an axle extending through the ends 105 alongside the legs 104, with the drive wheels 105' turned along the axles to move the rack 101 longitudinally on rail sections 98, reference column 17, lines 51-57. Black also teaches a drive motor 111 fixed to one leg 104 that operates the drive wheels 105' through a sprocket and chain arrangement, reference column 17, lines 57-62. Black discloses in Figures 9 and 10 that the drive motor is suspended below the leg 104, meaning that the motor 111 drive shaft is parallel but not in line with the axle that extends through ends 105, which is in accordance with the requirement with the drive motor 111 requiring a sprocket and chain arrangement to drive an axle that is offset on a parallel centerline. In addition, Black teaches a platform 106 that is moved on wheels 104' that travel on legs 104 through the use of an axle 108 that is driven by motor 110 on platform 106 through a chain 109, reference column17, lines 63-68, column 18, lines 1-7. Black's Figures 9 and 10 also teach that the platform 106 containing motor 110 driving wheels 104' and motor 107 that moves fork lift portion 102b extends below the second frame or legs 104.

Applicant's second frame as claimed in claims 1 and 8 utilizes a ***single*** beam to slidably support the winch carriage, wherein Black teaches the requirement of two beams or legs 104 to slidably support the platform 106. To modify Black to use a single beam 104 for the second frame would require extensive drive wheel 104' and

105' redesign to slidably support platform 106 from a single leg 104 or in the alternative to use a conventional drop down arrangement by having drive wheels on each side of the I-beam flange, suspending the platform 106 below the single leg 104. Black neither teaches or suggests the use of a single leg 104. Also, as claimed, applicant's winch carriage does not extend below the second frame, in Black the motor 111 is suspended below leg 104 which requires a chain and sprocket drive to the axle connected to wheels 105', also Black neither teaches or suggests attaching motor 111 above the bottom of leg 104 nor would be motivated to do so. To further distinguish that applicant's winch carriage is slidably supported on a single beam, claims 1 and 8 have been amended to have the winch carriage slidably supported by the second frame ***beam*** (in claim 1) or ***angle beam*** (in claim 8) as opposed to the second frame, with antecedent support in applicant's specification paragraph 67, lines 1-4 and applicant's Figures 1, 3, and 4. In addition, claim 1 has been amended to clarify that the winch carriage does not extend below the second frame ***beam*** depth as opposed to the second frame depth, also that the winch is able to move in a direction parallel to the second frame ***beam*** span as opposed to the second frame span, with antecedent support in claim 1 element (b). Likewise claim 8 has been amended to clarify that the winch carriage does not extend below the second frame ***angle beam*** vertical extension as opposed to the second frame vertical extension, also that the winch is able to move in a direction parallel to the second frame ***angle beam*** span as opposed to the second frame span, with antecedent support in claim 8 element (b). As rejected claims 2 and 9 depend from amended claims 1 and 8 respectively, claims 2 and 9 should now be in condition for allowance.

Also, the Examiner stated that the "adapted to attach" recitations are not positive inclusions of the ISO container structure. In response, claims 1, 2, 8, and 9 have been

amended to delete the words "adapted to" in relation to the first frame attachment to the ISO container structure to have a positive inclusion of the ISO container structure by having the aforementioned claims state that the first frame ***is attached*** to the ISO container structure.

Next, to the office action paragraph 10 the Examiner rejected claims 1-7 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,425,071 to Dunbar or in the alternative, under 35 U.S.C. 103(a) as obvious over Dunbar. The Examiner stated that Dunbar shows a crane with a first frame (15), a second frame (43), and a winch (93), which does not extend below the second frame depth as wheels (21) are part of the frame. The Examiner also stated that if the wheels are not considered as part of the frame depth, the winch dimensions approximate the frame depth, as to have the difference considered as a design consideration, within the level of routine skill in the art.

In establishing a *prima facie* case of obviousness under 35 U.S.C. 103 it is incumbent upon the Examiner to provide a reason why one of ordinary skill in the art would have been lead to modify a prior art reference or to combine reference teachings to arrive at the claimed invention. *See Ex parte Clapp,* 227 USPQ 972, 973 (Bd. Pat. App. & Int. 1985). To this end, the requisite motivation must stem from some teaching, suggestion or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art and not from the applicant's disclosure. *See, e.g., Uniroyal, Inc. v. Rudkin-Wiley Corp.,* 837 F.2d 1044, 1052, 5 USPQ2d 1434 (Fed. Cir. 1991) (The teaching or suggestion to make the claimed combination must not be based on the applicant's disclosure). For a proper rejection under 35 U.S.C. 103 all of the claim limitations must be taught or suggested by the prior art. *In re Royka,* 490 F.2d 981, 180 USPQ 580 (CCPA 1974); *In re Wilson,* 424 F.2d 1382, 1385, 165 USPQ

494, 496 (CCPA 1970) ("All words in a claim must be considered in judging patentability of that claim against the prior art."). Obviousness under 35 U.S.C. 103 can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *In re Fine,* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1998). The proposed modification for combining or individually modifying the prior art references cannot change the principal of operation of the references, if the principal of operation of the references in changed, then the teachings of the references are not sufficient to render the claim *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). The motivation to modify the reference should manifest in some advantage or beneficial result, *In re Sernaker,* 702 F.2d 989, 994-95, 217 USPQ 1, 5-6 (Fed. Cir. 1983). Further, it should be noted that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); MPEP §2143.03.

Dunbar teaches in referring specifically to the second frame 43 as having transverse end members 47 that uses two I-beams 47 that are parallel that extend between the first frame beams 17, (that are in effect the beams of the second frame) with roller 51 and sprocket 55 slidably supporting the second frame 43 on beams 17, reference column 3, lines 38-41, and Dunbar Figures1 and 4, with the second frame supporting the lifting means 71, reference column 3, lines 65-66, with the lifting means 71 having a hoist 89, reference column 4, lines 17-18. Rollers 81 and 83 engage the beams 47 to support the lifting means 71, reference column 5, lines 66-68, column 7, lines 1-6, with a portion being a drive sprocket 85 that engage tracks 57 on the beams

47, reference column 4, lines 6-13 and as best shown in Dunbar Figure 5. Thus, Dunbar teaches the hoist 89 or winch slidable support on the second frame 43, being specifically the second frame beams 47 as being on the topside of the beams 47 to be able to engage both the support roller 83 and the drive sprocket 85 engaging with the track 57.

To further distinguish applicant's crane as claimed, an amendment is made to claim 1 to limit the winch vertical position to within the vertical envelope of the second frame ***beam*** depth as opposed to only limiting the winch position to not extend below the second frame depth with antecedent support found in the application at paragraph 67, lines 6-12 and in the application Figure 4. As Dunbar teaches that the winch only does not extend below the second frame 43 beam 47 and requires that the winch 89 drum 93 extend ***above*** the beam 47 as positionally related to the support roller 83 and sprocket 85 as best shown in Figure 2 of Dunbar, in fact the drum 93 of the winch 89 is shown to extend somewhat ***below*** the second frame beams 47 not including the second frame wheels 21. To modify Dunbar to position the winch 89 within the vertical envelope of the beams 47 would require extensive redesign of the support roller 83 and sprocket 85 engagement with the beams 47 to maintain the lifting capacity and motor 87 driven movement, in addition Dunbar neither teaches or suggests this modification.

Also, applicant's second frame as claimed in claim 1 utilizes a ***single*** beam to slidably support the winch carriage, wherein Dunbar teaches the requirement of two beams 47 to slidably support the winch 89. To modify Dunbar to use a single beam 47 for the second frame 43 would require extensive redesign of both the support roller 83 supported by beam 47 and the drive sprocket 85 engaging with the track 57 to slidably support the winch 89 from a single beam 47 or in the alternative to use a conventional drop down arrangement by having drive wheels on each side of the single I-beam 47

flange, suspending the winch 89 below the beam 47. Dunbar neither teaches or suggests the use of a single beam 47. As the remaining rejected claims 2-7 all directly or indirectly depend from the amended claim 1, claims 2-7 should now be in condition for allowance.

Moving to the office action paragraph 11 the Examiner rejected claims 8-14 under 35 U.S.C. 103(a) as being unpatentable over Black in view of Dunbar. The Examiner states that Figures 8-10 of Black show the basic claimed crane apparatus as discussed above. The Examiner also stated that Black varies from the claims by not showing rollers for the various sliding surfaces and that Dunbar shows a similar crane apparatus with rollers (21, 23, 103) for supporting the first frame and rollers (49, 51, 63) supporting the second frame. The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the crane apparatus of Black by providing it with rollers, to smoothly support the first and the second frame, as taught by Dunbar.

Black teaches in Figures 8-10 a second frame (104, 104) that uses two I-beams 104 that are parallel that extend between the first frame rail sections 98, with drive wheels 105' on opposite ends of an axle extending through the ends 105 alongside the legs 104, with the drive wheels 105' turned along the axles to move the rack 101 longitudinally on rail sections 98, reference column 17, lines 51-57. Black also teaches a drive motor 111 fixed to one leg 104 that operates the drive wheels 105' through a sprocket and chain arrangement, reference column 17, lines 57-62. Black discloses in Figures 9 and 10 that the drive motor is suspended below the leg 104, meaning that the motor 111 drive shaft is parallel but not in line with the axle that extends through ends 105, which is in accordance with the requirement with the drive motor 111 requiring a sprocket and chain arrangement to drive an axle that is offset on a parallel centerline. In addition, Black teaches a platform 106 that is moved on wheels 104' that travel on

legs 104 through the use of an axle 108 that is driven by motor 110 on platform 106 through a chain 109, reference column17, lines 63-68, column 18, lines 1-7. Black's Figures 9 and 10 also teach that the platform 106 containing motor 110 driving wheels 104' and motor 107 that moves fork lift portion 102b extends below the second frame or legs 104.

Applicant's second frame as claimed in claim 8 utilizes a ***single*** angle beam to slidably support the winch carriage, wherein Black teaches the requirement of two beams or legs 104 to slidably support the platform 106. To modify Black to use a single beam 104 for the second frame would require extensive drive wheel 104' and 105' redesign to slidably support platform 106 from a single leg 104 or in the alternative to use a conventional drop down arrangement by having drive wheels on each side of the I-beam flange, suspending the platform 106 below the single leg 104. Black neither teaches or suggests the use of a single leg 104. Also, as claimed, applicant's winch carriage does not extend below the second frame, in Black the motor 111 is suspended below leg 104 which requires a chain and sprocket drive to the axle connected to wheels 105', also Black neither teaches or suggests attaching motor 111 above the bottom of leg 104 nor would be motivated to do so.

To further distinguish that applicant's winch carriage is slidably supported on a single beam, claim 8 has been amended to have the winch carriage slidably supported by the second frame ***angle beam*** as opposed to the second frame, with antecedent support in applicant's specification paragraph 67, lines 1-4 and applicant's Figures 1, 3, and 4. In addition, claim 8 has been amended to clarify that the winch carriage does not extend below the second frame ***angle beam*** vertical extension as opposed to the second frame vertical extension, also that the winch is able to move in a direction parallel to the second frame ***angle beam*** span as opposed to the second frame span

with antecedent support in claim 8 element (b). As rejected claims 9-14 depend directly or indirectly from amended claim 8, claims 9-14 should now be in condition for allowance.

Dunbar teaches in referring specifically to the second frame 43 as having transverse end members 47 that uses two I-beams 47 that are parallel that extend between the first frame beams 17, (that are in effect the beams of the second frame) with rollers 51 and sprocket 55 slidably supporting the second frame 43 on beams 17, reference column 3, lines 38-41, and Dunbar Figures 1 and 4 with the second frame supporting the lifting means 71, reference column 3, lines 65-66, with the lifting means 71 having a hoist 89, references column 4, lines 17-18. Rollers 81 and 83 engage the beams 47 to support the lifting means 71, reference column 5, lines 66-68, column 7, lines 1-6, with a portion being a drive sprocket 85 that engage tracks 57 on the beams 47, reference column 4, lines 6-13 and as best shown in Dunbar Figure 5. Thus, Dunbar teaches the hoist 89 or winch slidable support on the second frame 43, being specifically the second frame beams 47 as being on the topside of the beams 47 to be able to engage both the support roller 83 and the drive sprocket 85 engaging with the track 57.

To further distinguish applicant's crane as claimed, an amendment is made to claim 8 to limit the winch vertical position to within the vertical envelope of the second frame ***angle beam*** vertical extension as opposed to only limiting the winch position to not extend below the second frame vertical extension with antecedent support found in the application at paragraph 67, lines 6-12 and in the application Figure 4. As Dunbar teaches that the winch only does not extend below the second frame 43 beam 47 and requires that the winch 89 drum 93 extend ***above*** the beam 47 as positionally related to the support roller 83 and sprocket 85 as best shown in Figure 2 of Dunbar, in fact the

drum 93 of the winch 89 is shown to extend somewhat ***below*** the second frame beams 47 not including the second frame wheels 21. To modify Dunbar to position the winch 89 within the vertical envelope of the beams 47 would require extensive redesign of the support roller 83 and sprocket 85 engagement with the beams 47 to maintain the lifting capacity and motor 87 driven movement, in addition Dunbar neither teaches or suggests this modification.

Also, applicant's second frame as claimed in claim 8 utilizes a ***single*** angle beam to slidably support the winch carriage, wherein Dunbar teaches the requirement of two beams 47 to slidably support the winch 89. To modify Dunbar to use a single beam 47 for the second frame 43 would require extensive redesign of both the support roller 83 supported by beam 47 and the drive sprocket 85 engaging with the track 57 to slidably support the winch 89 from a single beam 47 or in the alternative to use a conventional drop down arrangement by having drive wheels on each side of the single I-beam 47 flange, suspending the winch 89 below the beam 47. Dunbar neither teaches or suggests the use of a single beam 47. As the remaining rejected claims 9-14 all directly or indirectly depend from the amended claim 8, claims 9-14 should now be in condition for allowance.

In looking at combining Black and Dunbar to define applicant's invention as defined in amended claim 8, would require the use of a single beam for the second frame for the winch to be slidably supported upon, in addition to the winch not extending beyond the vertical envelope of the second frame single beam. Combining Black and Dunbar does not define the applicant's invention as defined in amended claim 8, nor do Black or Dunbar teach or suggest such a modification. Modifying Black or Dunbar to have a single beam to slidably support the winch would result in destroying the their current functionality without extensive design modifications to

account for cantilever loading effects causing torsional moments in the second frame beam in addition to modifications to the roller engagement of the winch to a single beam for the second frame. As to ordinary skill in the art dictating the required modifications to Black and Dunbar to define applicant's amended claim 8 under a rearrangement of elements doctrine, applicant's use of a single beam for the second frame with the winch being within the beams vertical envelope results in a new beneficial effect for the user in reducing the vertical space consumed by the crane in the ISO container with a minimal number of beams required by omitting elements and simplifying from what Black or Dunbar disclose or teach with enhanced benefit to the user from the applicant's claimed invention.

In office action paragraph 12 the Examiner rejected claim 15 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,572,513 to Tantlinger. As claims 15-17 have been withdrawn from consideration due to the applicants election of claims 1-14 for prosecution due to the restriction requirement, there will be no response to the office action paragraph 12 rejection.

Attached hereto is a marked up version of the changes made to the specification and / or claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Applicant respectfully requests that a timely notice of allowance be issued in this case.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims

Claims 15, 16, and 17 have been cancelled.

Claim 1 has been amended as follows:

1. (Once Amended) A crane hoist apparatus for use in moving items within, into, out of, and adjacent to an interior of a containerized cargo enclosure with a minimal loss of interior enclosure volume from the crane, comprising:

(a) a first frame having a plurality of beams that each include a lengthwise span, a width, and a depth, said first frame is ~~adapted to be~~ supported by the containerized cargo enclosure;

(b) a second fame having a beam with a lengthwise span, a width, and a depth, said second frame is slidably supported by said first frame in an approximately transverse span orientation such that said second frame depth does not extend below said first frame depth, said second frame is able to move in a direction parallel to said first frame span; and

(c) a winch carriage that is slidably supported by said second frame beam such that said winch does not extend ~~below~~ beyond said second frame beam depth, said winch being able to move in a direction parallel to said second frame beam span.

Claim 2 has been amended as follows:

2. (Once Amended) A crane hoist apparatus according to claim 1 wherein said first frame is ~~adapted to~~ attached to the interior of the containerized cargo container with a slidable support that allows said first frame to movably extend parallel to said first frame spans between a first retracted position in which said first frame is accommodated entirely within the interior of the containerized cargo enclosure to a second extended position in which said first frame extends to an exterior of the containerized cargo enclosure from the interior of the containerized cargo enclosure.

Claim 3 has been amended as follows:

3. (Once Amended) A crane hoist apparatus according to claim 2 further including a first plurality of rollers for ~~supporting~~ providing said slidable support of said first frame in the interior of the containerized cargo enclosure.

Claim 4 has been amended as follows:

4. (Once Amended) A crane hoist apparatus according to claim 1 wherein said second frame includes a second plurality of rollers for ~~slidably supporting~~ said second frame to be slidably supported by said first frame.

Claim 6 has been amended as follows:

6. (Once Amended) A crane hoist apparatus according to claim 1 wherein said winch carriage includes a third plurality of rollers for ~~supporting~~ said winch carriage to be slidably supported by said second frame.

Claim 8 has been amended as follows:

8. (Once Amended) A crane hoist apparatus for use in moving items within, into, out of, and adjacent to an interior of a containerized cargo enclosure with a minimal loss of interior enclosure volume from the crane, comprising:

(a) a first frame having a plurality of beams that are each constructed of an angle beam that includes a horizontal extension, a vertical extension and a lengthwise span, said first frame is ~~adapted to be~~ supported by the containerized cargo enclosure;

(b) a second fame having a beam that is constructed of an angle beam that includes a horizontal extension, a vertical extension and a lengthwise span, said second frame is slidably supported by said first frame in an approximately transverse span orientation such that said second frame does not extend below said first frame vertical extension, said second frame is able to move in a direction parallel to said first frame span; and

(c) a winch carriage that is slidably supported by said second frame angle beam such that said winch does not extend ~~below~~ beyond said second frame angle beam vertical extension, said winch being able to move in a direction parallel to said second frame angle beam span.

Claim 9 has been amended as follows:

9. (Once Amended) A crane hoist apparatus according to claim 8 wherein said first frame is ~~adapted to~~ attached to the interior of the containerized cargo container with a slidable support that allows said first frame to movably extend parallel to said first

frame spans between a first retracted position in which said first frame is accommodated entirely within the interior of the containerized cargo enclosure to a second extended position in which said first frame extends to an exterior of the containerized cargo enclosure from the interior of the containerized cargo enclosure.

Claim 10 has been amended as follows:

10. (Once Amended) A crane hoist apparatus according to claim 9 further including a first plurality of rollers for ~~supporting~~ providing said slidable support of said first frame in the interior of the containerized cargo enclosure.

Claim 11 has been amended as follows:

11. (Once Amended) A crane hoist apparatus according to claim 8 wherein said second frame includes a second plurality of rollers for ~~supporting~~ said second frame to be slidably supported by said first frame.

Claim 13 has been amended as follows:

13. (Once Amended) A crane hoist apparatus according to claim 8 wherein said winch carriage includes a third plurality of rollers for ~~supporting~~ said winch carriage to be slidably supported by said second frame.